

JAMES CRUZ,

Petitioner

v.

UNITED STATES OF AMERICA,

Respondent

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**No. 2:96-cr-00076-GZS
2:14-cr-00250-GZS**

The United States Magistrate Judge filed with the Court on June 30, 2014, his Recommended Decision (ECF No. 181). Petitioner filed his Objection to the Recommended Decision (ECF No. 182) on July 21, 2014. Petitioner filed a Supplemental Objection to the Recommended Decision (ECF No. 183) on August 5, 2014.

I have reviewed and considered the Magistrate Judge's Recommended Decision, together with the entire record; I have made a de novo determination of all matters adjudicated by the Magistrate Judge's Recommended Decision; and I concur with the recommendations of the United States Magistrate Judge for the reasons set forth in his Recommended Decision, and determine that no further proceeding is necessary.

1. It is therefore **ORDERED** that the Recommended Decision of the Magistrate Judge is hereby **AFFIRMED**.
2. It is hereby **ORDERED** that Petitioner's Section 2255 Motion (ECF No. 180) is **DISMISSED**.

3. It is hereby **ORDERED** that a certificate of appealability shall not be issued because there is no substantial showing of the denial of a constitutional right within the meaning of 28 U.S.C. § 2253(c)(2).

/s/George Z. Singal
U.S. District Judge

Dated this 12th day of August, 2014.